Distr.
LIMITED

E/CN.4/1994/L.22
18 February 1994

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Fiftieth session
Agenda item 7

QUESTION OF THE REALIZATION IN ALL COUNTRIES OF THE ECONOMIC, SOCIAL AND CULTURAL RIGHTS CONTAINED IN THE UNIVERSAL DECLARATION OF HUMAN RIGHTS AND IN THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS, AND STUDY OF SPECIAL PROBLEMS WHICH THE DEVELOPING COUNTRIES FACE IN THEIR EFFORTS TO ACHIEVE THESE HUMAN RIGHTS, INCLUDING: PROBLEMS RELATED TO THE RIGHT TO ENJOY AN ADEQUATE STANDARD OF LIVING; FOREIGN DEBT, ECONOMIC ADJUSTMENT POLICIES AND THEIR EFFECTS ON THE FULL ENJOYMENT OF HUMAN RIGHTS AND, IN PARTICULAR, ON THE IMPLEMENTATION OF THE DECLARATION ON THE RIGHT TO DEVELOPMENT

Australia, Austria, Costa Rica, Denmark*, Ireland*, Norway* and Peru: draft resolution

Question of trade union rights

The Commission on Human Rights,

Reaffirming that all human rights and fundamental freedoms are indivisible and interrelated and that the promotion and protection of one category of rights does not exempt or excuse States from the duty of promoting and protecting other rights,

Recalling that the right of everyone to form and to join trade unions is embodied in the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights and the International

---

* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Covenant on Civil and Political Rights and that this and other fundamental trade union rights are guaranteed by the freedom of association conventions of the International Labour Organisation,

Recognizing the most important role played by trade unions in efforts to achieve social justice,

Underlining the important role played by the International Labour Organisation in the protection and promotion of trade union rights,

Recognizing that workers' rights are given fuller expression in the International Labour Code, made up of the 174 Conventions and 181 Recommendations, of the International Labour Organisation,

Underlining the particular importance of the Conventions concerning Freedom of Association (Nos. 87 and 98), Discrimination (Nos. 100 and 111) and Forced Labour (Nos. 29 and 105) of the International Labour Organisation,

Recalling that the Declaration on the Right to Development, adopted by the General Assembly on 4 December 1986 (resolution 41/128 annex), calls on States to encourage popular participation in all spheres as an important factor in development and in the full realization of all human rights,

Noting that the World Conference on Human Rights supported all measures by the United Nations and its relevant agencies to ensure the effective promotion and protection of trade union rights, and called on all States to abide fully by their obligations contained in this regard in international instruments,

Considering that trade unions can contribute most significantly to the realization of effective popular participation and thus to development and that violations of their rights are therefore serious obstacles to development,

Recalling its resolutions 1990/16 of 23 February 1990 and 1992/12 of 21 February 1992 in which it expressed deep concern that in many countries persons exercising their trade union rights in striving for a more just society and human dignity were subject to serious violations of their fundamental human rights, including their right to life, and appealed to States to ensure the conditions for the free and full exercise of trade union rights,

Regretting that violations of trade union rights have continued in many countries since then,

1. Appeals to States to ensure that conditions are such that all persons under their jurisdiction can exercise their trade union rights freely and in full;

2. Invites Member States that have not yet done so to ratify and apply in full the International Covenants on Human Rights as well as the Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87) and the Right to Organize and Collective Bargaining Convention, 1949 (No. 98) of the International Labour Organisation and to support the increasingly important work of that Agency;

3. Calls upon States to involve representative trade union organizations in effective processes of popular participation and development, including through appropriate consultative mechanisms;

4. Urges States to work for the provision of a healthy and safe workplace including through consultation and cooperation;

5. Encourages Member States to remove all forms of discrimination in the workplace and invites all States which have not yet done so to ratify and apply in full the Discrimination (Employment and Occupation) Convention, 1958 (No. 111) and the Equal Remuneration Convention, 1951 (No. 100), with a view to eliminating discrimination against women through adoption of the principle of equal pay for work of equal value.

- - - - -